

1 James D. Crosby (California State Bar No. 110383)  
Attorney at Law  
2 550 Wes C Street, Suite 790  
San Diego, California 92101  
3 Telephone: (619) 450-4149  
Email: crosby@crosbyattorney.com  
4

Plaintiff/Judgment Creditor *In Pro Per*  
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8 DISTRICT COURT  
CLARK COUNTY, NEVADA  
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10 JAMES D. CROSBY, an individual,

11 Plaintiff,

12 vs.

13 PHILIP NEUMAN, an individual,

14 Defendants  
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) Case No. A-16-739130-F

) Dept. No. XIII

) EX-PARTE APPLICATION FOR ORDER  
ALLOWING EXAMINATION OF  
JUDGMENT DEBTOR  
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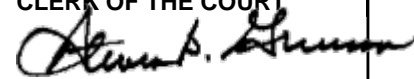
EX-PARTE APPLICATION FOR ORDER ALLOWING  
EXAMINATION OF JUDGMENT DEBTOR  
19

20 Plaintiff James D. Crosby applies for an order requiring defendant Philip Neuman to appear  
at 9:00 a.m. on Monday, September 25, 2017 at Oasis Reporting Services, 400 South Seventh Street,  
21 Suite 400, Las Vegas, NV 89101, Phone: 702-476-4500, to answer questions under oath and  
22 produce documents concerning the defendant's assets and property.

23 This application is based on the foreign judgment entered in this matter on June 27, 2016 and  
24 on the affidavit of James D. Crosby filed herewith.

25  
26 Date: August 8, 2017

  
James D. Crosby,  
Plaintiff/Judgment Creditor *In Pro Per*  
27  
28



James D. Crosby (California State Bar No. 110383)  
Attorney at Law  
550 Wes C Street, Suite 790  
San Diego, California 92101  
Telephone: (619) 450-4149  
Email: crosby@crosbyattorney.com

Plaintiff/Judgment Creditor *In Pro Per*

DISTRICT COURT  
CLARK COUNTY, NEVADA

JAMES D. CROSBY, an individual,

Plaintiff,

vs.

PHILIP NEUMAN, an individual,

Defendants

Case No. A-16-739130-F

Dept. No. XIII

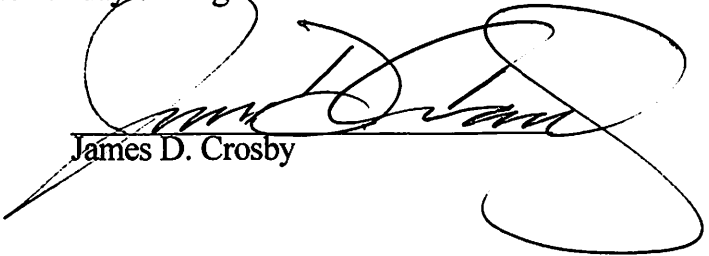
AFFIDAVIT OF PLAINTIFF/JUDGMENT  
CREDITOR JAMES D. CROSBY IN  
SUPPORT OF EX-PARTE APPLICATION  
FOR ORDER ALLOWING  
EXAMINATION OF JUDGMENT  
DEBTOR

I, James D. Crosby, do hereby declare and state as follows:

1. I am the plaintiff in the above-entitled action. I have personal knowledge of the facts contained herein and am competent to testify to those facts.
2. A Foreign Judgment was filed against defendant Philip Neuman and in my favor in the above referenced action on June 27, 2016. True and correct copies of the conformed Application for Foreign Judgment and Notice of Filing Application for Foreign Judgment and Affidavit of Judgment Creditor are attached hereto as Exhibit 1.
3. As of this date, the judgment has not been satisfied in whole or in part and the entire judgment plus interest thereon remains outstanding.
4. Despite diligent efforts to locate assets of the defendant, plaintiff has not been able to locate the whereabouts of such assets.

1 5. Plaintiff requests issuance of an order requiring defendant Philip Neuman to appear at 9:00  
2 a.m. on Monday, September 25, 2017 at Oasis Reporting Services, 400 South Seventh Street, Suite  
3 400, Las Vegas, NV 89101 to answer questions under oath and produce documents concerning the  
4 defendant's assets and property.

5 I declare under the penalty of perjury under the laws of the State of Nevada that the  
6 foregoing is true and correct. Dated this 7th day of August 2017.

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9 James D. Crosby  
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**EXHIBIT “1”**

James D. Crosby (California State Bar No. 110383)  
Attorney at Law  
2311 Hickory Street  
San Diego, California 92101  
Telephone: (858) 705-0083  
Email: crosbyattorney@gmail.com

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CLERK OF THE COURT

Plaintiff/Judgment Creditor *In Pro Per*

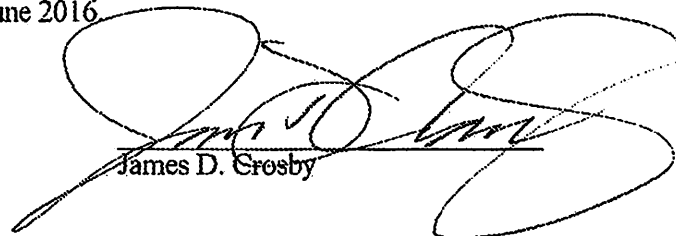
DISTRICT COURT  
CLARK COUNTY, NEVADA

JAMES D. CROSBY, an individual,	)	Case No. A- 16 - 739130 - F
	)	
Plaintiff,	)	Dept. No. XI I I
	)	APPLICATION FOR FOREIGN JUDGMENT
vs.	)	
	)	
PHILIP NEUMAN, an individual,	)	
	)	
Defendants	)	
	)	
	)	

COMES NOW Plaintiff/Judgment Creditor JAMES D. CROSBY, *In Pro Per*, and hereby files his Foreign Judgment pursuant to NRS 17, specifically NRS 17.350, and registers an exemplified copy of the Judgment, attached hereto as Exhibit "1", as follows:

"Amended and Restated Judgment" from the Superior Court of the State of California, County of San Diego, North County Division, signed by the Honorable Judge Robert P. Dahlquist and filed on April 15, 2014.

I declare under the penalty of perjury under the law of the State of Nevada that the foregoing is true and correct. Dated this 27th day of June 2016.

  
James D. Crosby

**EXHIBIT “1”**



Case Number : 37-2010-00057331

Case Name : Crosby v. Neuman

I, **MICHAEL RODDY**, Clerk of the Superior Court of the State of California for the County of San Diego, which is a court of record having a seal, certify that by law I have custody of the seal and all the records, books and documents of or pertaining to said court.

I further certify that the document or documents described below and annexed hereto contains a full, true and correct copy of the original document or documents of or pertaining to the Superior Court which is/are on file in my office.

Amended and Restated Judgment 4/15/16 2pgs ; Plaintiff Notice of Motion and Motion for Atty Fees 3/07/16 2pgs ; Minute order 04/11/16 3 pgs.

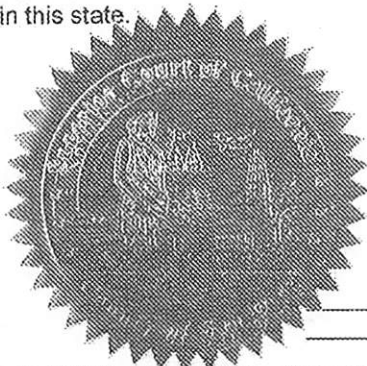


WITNESS my hand and the seal of the court this

24 day of June, 2016

*Michael Roddy*  
MICHAEL RODDY  
Clerk of the Superior Court of the State of California  
for the County of San Diego

I, **JEFFREY BARTON**, Judge of the Superior Court of the State of California for the County of San Diego, certify that **MICHAEL RODDY** whose signature is affixed to the above certificate, is the Clerk of the Superior Court of the State of California for said County. As such clerk, he is the proper certifying officer of the court, and by law has custody of the seal and all the records, books and documents of or pertaining to the court, and his certificate is in due form as used in this state.



IN WITNESS WHEREOF I have hereunto set my hand this

24 day of June, 2016

*Jeffrey Barton*  
JEFFREY BARTON  
Judge of the Superior Court of the State of California  
for the County of San Diego

I, **MICHAEL RODDY**, Clerk of the Superior Court of the State of California for the County of San Diego which is a court of record having a seal, certify that the Honorable **JEFFREY BARTON**, whose name is subscribed to the above certificate of qualification, was at the date thereof a Judge of the Superior Court of the State of California, for the County of San Diego, duly appointed or elected and qualified and acting; that said judge is authorized to make such certificates; that full faith and credit are due the official acts as such judge. I further certify that the signature subscribed on the certificate is genuine and that the certificate is executed according to the laws of the State of California.



WITNESS my hand and the seal of the court this

24 day of June, 2016

*Michael Roddy*  
MICHAEL RODDY  
Clerk of the Superior Court of the State of California  
for the County of San Diego

**F I L E D**  
Clerk of the Superior Court

**APR 15 2014**

By: L. ARTHUR, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SAN DIEGO, NORTH COUNTY DIVISION

JAMES D. CROSBY, an individual,  
Plaintiff,

v.

PHILIP NEUMAN, an individual, and DOES 1  
through 50, inclusive,  
Defendants.

Case No.: 37-2010-00057331-CU-CO-NC

**AMENDED AND RESTATED JUDGMENT**

Dept.: N-29  
Judge: Hon. Robert P. Dahlquist

Verified Complaint filed: July 15, 2010

On October 25, 2011, this Court entered its Order Granting Summary Judgment in favor of Plaintiff, James D. Crosby, and against Defendant, Philip Neuman.

On November 1, 2011, this Court entered Judgment in favor of Plaintiff James D. Crosby and ordered that Plaintiff may recover from Defendant, Philip Neuman, the sum of \$382,533.87.

On November 16, 2011, Plaintiff filed with the Court a Memorandum of Costs in the amount of \$1,706.04, and Plaintiff is entitled to recover that sum as costs from Defendant, Philip Neuman.

On March 1, 2012, pursuant to a stipulation between the parties, this Court entered an Order awarding Plaintiff reasonable attorneys' fees incurred in the amount of \$60,000.00 to be added as allowable costs to the Judgment previously entered in this action on November 1, 2011, and Plaintiff is entitled to recover that sum from Defendant, Philip Neuman.

On April 11, 2014, pursuant to an unopposed motion following the Court of Appeal's affirmance of the underlying Judgment, for an award of additional reasonable attorneys' fees incurred



1 post-March 1, 2012, this Court entered an Order awarding Plaintiff additional reasonable attorneys'  
2 fees incurred in the amount of \$67,828.26 to be added as allowable costs to the Judgment previously  
3 entered in this action on November 1, 2011, and Plaintiff is entitled to recover that sum from  
4 Defendant, Philip Neuman.

5 NOW, THEREFORE, THE COURT HEREBY AMENDS AND RESTATES THE  
6 JUDGMENT ENTERED IN THIS ACTION TO ADJUDGE, ORDER AND DECREE that Plaintiff,  
7 James D. Crosby, recover from Defendant, Philip Neuman, the following sums: \$382,533.87 as of  
8 November 1, 2011; plus costs in the amount of \$1,706.04; plus reasonable attorneys' fees in the  
9 amount of \$60,000.00 as of March 1, 2012, plus additional reasonable attorneys' fees in the amount  
10 of \$67,828.26 as of April 11, 2014.

11  
12 Dated: April 15, 2014

Robert P. Dahlquist  
13 ROBERT P DAHLQUIST  
14 JUDGE OF THE SUPERIOR COURT  
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1 James D. Crosby (California State Bar No. 110383)  
Attorney at Law  
2 2311 Hickory Street  
San Diego, California 92103  
3 Telephone: (858) 705-0083  
Email: crosbyattorney@gmail.com  
4

Plaintiff/Judgment Creditor *In Pro Per*  
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8 DISTRICT COURT  
9 CLARK COUNTY, NEVADA

10 JAMES D. CROSBY, an individual,	)	Case No.
	)	
11 Plaintiff,	)	Dept. No.
12 vs.	)	AFFIDAVIT OF JUDGMENT CREDITOR
13 PHILIP NEUMAN, an individual,	)	
14 Defendants	)	
15	)	
16	)	

17 **AFFIDAVIT OF JUDGMENT CREDITOR**

18 1. The name and last known addresses of the Judgment Debtor are:

19 Philip Neuman  
20 16 Hubbard School Lane  
Ramsey, NJ 07446  
21  
22 345 State Route 17  
Upper Saddle River, NJ 07458  
23 1938 Grey Eagle Street  
Henderson, NV 89074

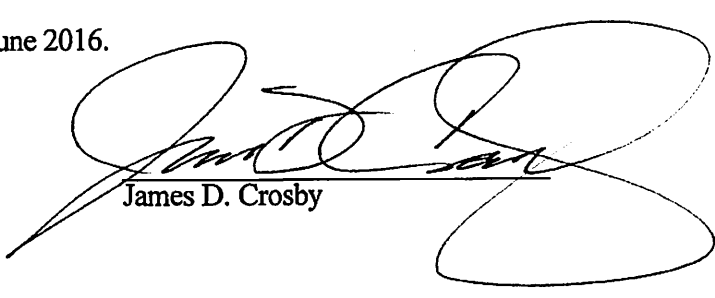
24 2. The name and address of the Judgment Creditor is:

25 James D. Crosby  
26 2311 Hickory Street  
San Diego, California 92103  
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1           3.       The foreign judgment that is attached to the Application for Foreign Judgment is valid and  
2 enforceable.

3           4.       As of June 27, 2016, none (\$0) of the foreign judgment has been satisfied and \$733,345.77  
4 remains due and owing.

5           I declare under the penalty of perjury under the laws of the State of Nevada that the foregoing is true  
6 and correct. Dated this 27th day of June 2016.

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9 James D. Crosby  
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A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA                    )  
  )ss.  
COUNTY OF SAN DIEGO                )

Subscribed and sworn to (or affirmed) before me on this 27<sup>th</sup> day of June, 2016, by James D. Crosby, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

April Scott  
Notary Public



(Seal)

*Allen D. Lamm*  
CLERK OF THE COURT

DISTRICT COURT  
CLARK COUNTY, NEVADA

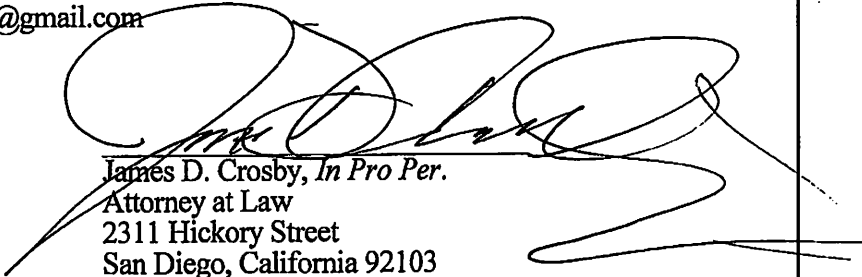
) NOTICE OF FILING APPLICATION FOR  
) FOREIGN JUDGMENT AND AFFIDAVIT OF  
) JUDGMENT CREDITOR

## Defendants

James D. Crosby  
2311 Hickory Street  
San Diego, California 92103

1 The name and address of the judgment creditor is:

2 James D. Crosby, *In Pro Per*.  
3 Attorney at Law  
4 2311 Hickory Street  
5 San Diego, California 92103  
6 Telephone: (858) 705-0083  
7 Email: crosbyattorney@gmail.com

8   
9 James D. Crosby, *In Pro Per*.  
10 Attorney at Law  
11 2311 Hickory Street  
12 San Diego, California 92103

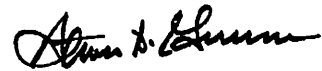


**EXHIBIT “1”**

1 James D. Crosby (California State Bar No. 110383)  
2 Attorney at Law  
2311 Hickory Street  
San Diego, California 92101  
3 Telephone: (858) 705-0083  
Email: crosbyattorney@gmail.com

4 Plaintiff/Judgment Creditor *In Pro Per*

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CLERK OF THE COURT

6  
7 DISTRICT COURT  
8 CLARK COUNTY, NEVADA

9 JAMES D. CROSBY, an individual,

10  
11 Plaintiff,

12 vs.

13 PHILIP NEUMAN, an individual,

14 Defendants  
15

Case No. A- 16 - 739130 - F

Dept. No. XI I I

APPLICATION FOR FOREIGN JUDGMENT

16  
17 COMES NOW Plaintiff/Judgment Creditor JAMES D. CROSBY, *In Pro Per*, and hereby files his  
18 Foreign Judgment pursuant to NRS 17, specifically NRS 17.350, and registers an exemplified copy of the  
19 Judgment, attached hereto as Exhibit "1", as follows:

20 "Amended and Restated Judgment" from the Superior Court of the State of California, County of  
21 San Diego, North County Division, signed by the Honorable Judge Robert P. Dahlquist and filed  
22 on April 15, 2014.

23 I declare under the penalty of perjury under the law of the State of Nevada that the foregoing is true  
24 and correct. Dated this 27th day of June 2016

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26   
James D. Crosby  
27  
28

**EXHIBIT “1”**

Case Number : 37-2010-00057331

Case Name : Crosby v. Neuman

I, MICHAEL RODDY, Clerk of the Superior Court of the State of California for the County of San Diego, which is a court of record having a seal, certify that by law I have custody of the seal and all the records, books and documents of or pertaining to said court.

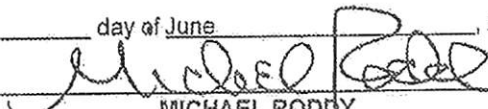
I further certify that the document or documents described below and annexed hereto contains a full, true and correct copy of the original document or documents of or pertaining to the Superior Court which is/are on file in my office.

Amended and Restated Judgment 4/15/16 2pgs ; Plaintiff Notice of Motion and Motion for Atty Fees 3/07/16 2pgs ; Minute order 04/11/16 3 pgs.

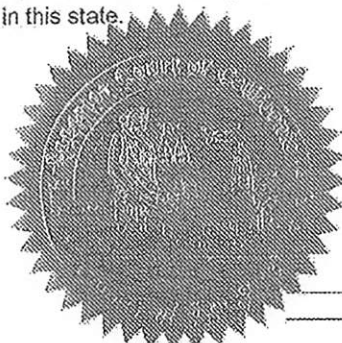


WITNESS my hand and the seal of the court this

24 day of June, 2016

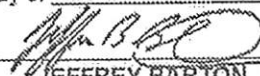
  
MICHAEL RODDY  
Clerk of the Superior Court of the State of California  
for the County of San Diego

I, JEFFREY BARTON, Judge of the Superior Court of the State of California for the County of San Diego, certify that MICHAEL RODDY whose signature is affixed to the above certificate, is the Clerk of the Superior Court of the State of California for said County. As such clerk, he is the proper certifying officer of the court, and by law has custody of the seal and all the records, books and documents of or pertaining to the court, and his certificate is in due form as used in this state.

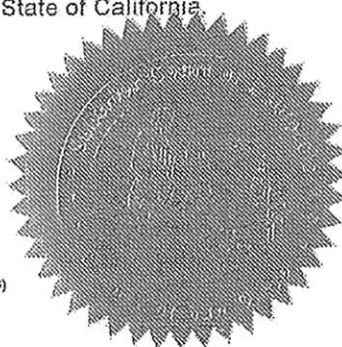


IN WITNESS WHEREOF I have hereunto set my hand this

24 day of June, 2016

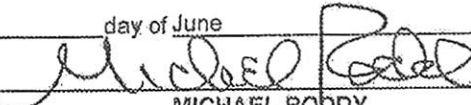
  
JEFFREY BARTON  
Judge of the Superior Court of the State of California  
for the County of San Diego

I, MICHAEL RODDY, Clerk of the Superior Court of the State of California for the County of San Diego which is a court of record having a seal, certify that the Honorable JEFFREY BARTON, whose name is subscribed to the above certificate of qualification, was at the date thereof a Judge of the Superior Court of the State of California, for the County of San Diego, duly appointed or elected and qualified and acting; that said judge is authorized to make such certificates; that full faith and credit are due the official acts as such judge. I further certify that the signature subscribed on the certificate is genuine and that the certificate is executed according to the laws of the State of California.



WITNESS my hand and the seal of the court this

24 day of June, 2016

  
MICHAEL RODDY  
Clerk of the Superior Court of the State of California  
for the County of San Diego



**FILED**  
Clark of the Superior Court

APR 15 2014

By: L. ARTHUR, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SAN DIEGO, NORTH COUNTY DIVISION

JAMES D. CROSBY, an individual,  
Plaintiff,

v.

PHILIP NEUMAN, an individual, and DOES 1  
through 50, inclusive,  
Defendants.

Case No.: 37-2010-00057331-CU-CO-NC

**AMENDED AND RESTATED JUDGMENT**

Dept.: N-29  
Judge: Hon. Robert P. Dahlquist

Verified Complaint filed: July 15, 2010

On October 25, 2011, this Court entered its Order Granting Summary Judgment in favor of Plaintiff, James D. Crosby, and against Defendant, Philip Neuman.

On November 1, 2011, this Court entered Judgment in favor of Plaintiff James D. Crosby and ordered that Plaintiff may recover from Defendant, Philip Neuman, the sum of \$382,533.87.

On November 16, 2011, Plaintiff filed with the Court a Memorandum of Costs in the amount of \$1,706.04, and Plaintiff is entitled to recover that sum as costs from Defendant, Philip Neuman.

On March 1, 2012, pursuant to a stipulation between the parties, this Court entered an Order awarding Plaintiff reasonable attorneys' fees incurred in the amount of \$60,000.00 to be added as allowable costs to the Judgment previously entered in this action on November 1, 2011, and Plaintiff is entitled to recover that sum from Defendant, Philip Neuman.

On April 11, 2014, pursuant to an unopposed motion following the Court of Appeal's affirmance of the underlying Judgment, for an award of additional reasonable attorneys' fees incurred

1 post-March 1, 2012, this Court entered an Order awarding Plaintiff additional reasonable attorneys'  
2 fees incurred in the amount of \$67,828.26 to be added as allowable costs to the Judgment previously  
3 entered in this action on November 1, 2011, and Plaintiff is entitled to recover that sum from  
4 Defendant, Philip Neuman.

5 NOW, THEREFORE, THE COURT HEREBY AMENDS AND RESTATES THE  
6 JUDGMENT ENTERED IN THIS ACTION TO ADJUDGE, ORDER AND DECREE that Plaintiff,  
7 James D. Crosby, recover from Defendant, Philip Neuman, the following sums: \$382,533.87 as of  
8 November 1, 2011; plus costs in the amount of \$1,706.04; plus reasonable attorneys' fees in the  
9 amount of \$60,000.00 as of March 1, 2012, plus additional reasonable attorneys' fees in the amount  
10 of \$67,828.26 as of April 11, 2014.

11  
12 Dated: April 15, 2014

Robert P. Dahlquist  
ROBERT P DAHLQUIST  
JUDGE OF THE SUPERIOR COURT



DISTRICT COURT  
CLARK COUNTY, NEVADA

## Defendants

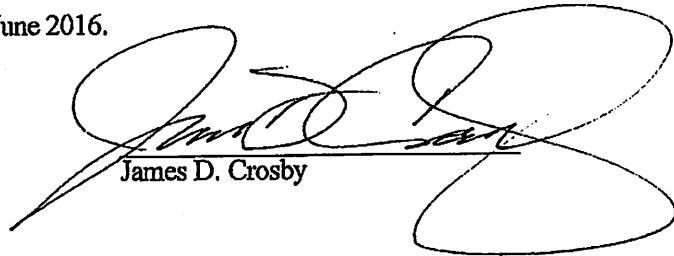
James D. Crosby  
2311 Hickory Street  
San Diego, California 92103

1           3.     The foreign judgment that is attached to the Application for Foreign Judgment is valid and  
2 enforceable.

3           4.     As of June 27, 2016, none (\$0) of the foreign judgment has been satisfied and \$733,345.77  
4 remains due and owing.

5           I declare under the penalty of perjury under the laws of the State of Nevada that the foregoing is true  
6 and correct. Dated this 27th day of June 2016.

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James D. Crosby

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA            )  
  )ss.  
COUNTY OF SAN DIEGO        )

Subscribed and sworn to (or affirmed) before me on this 27<sup>th</sup> day of June, 2016, by James D. Crosby, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

April Scott  
Notary Public



(Seal)

1 James D. Crosby (California State Bar No. 110383)  
Attorney at Law  
2 2311 Hickory Street  
San Diego, California 92101  
3 Telephone: (858) 705-0083  
Email: crosbyattorney@gmail.com  
4

5 Plaintiff/Judgment Creditor *In Pro Per*  
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8 DISTRICT COURT  
CLARK COUNTY, NEVADA  
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10 JAMES D. CROSBY, an individual,	)	Case No. A-16-739130-F
	)	
11 Plaintiff,	)	AFFIDAVIT OF SERVICE
	)	
12 vs.	)	
	)	
13 PHILIP NEUMAN, an individual,	)	
	)	
14 Defendants	)	
	)	
15	)	
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16

17 AFFIDAVIT OF SERVICE

18 The undersigned hereby certifies that on the 27<sup>th</sup> day of June 2016 he served a copy of the NOTICE  
19 OF FILING APPLICATION FOR FOREIGN JUDGMENT AND AFFIDAVIT OF JUDGMENT  
20 CREDITOR by personally depositing copies of same, in a mail box of the United States Postal Office,  
21 enclosed in a sealed envelope, postage prepaid, certified mail, return receipt requested, addressed to the  
22 following at their last known addresses:

23 Philip Neuman  
16 Hubbard School Lane  
24 Ramsey, NJ 07446

25 Philip Neuman  
345 State Route 17  
26 Upper Saddle River, NJ 07458  
27  
28

1 Philip Neuman  
2 1938 Grey Eagle Street  
3 Henderson, NV 89074

4 Attorney for Defendant/Judgment Debtor Phillip Neuman  
5 Edward Griffith  
6 The Griffith Firm  
7 45 Broadway Ste 2200  
8 New York, NY 10006-3717

9 I declare under the penalty of perjury under the laws of the State of Nevada that the foregoing is true  
10 and correct. Executed this 27th day of June 2016

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James D. Crosby

1 James D. Crosby (California State Bar No. 110383)  
Attorney at Law  
2 550 Wes C Street, Suite 790  
San Diego, California 92101  
3 Telephone: (619) 450-4149  
Email: crosby@crosbyattorney.com  
4

Plaintiff/Judgment Creditor *In Pro Per*  
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DISTRICT COURT  
CLARK COUNTY, NEVADA

9 JAMES D. CROSBY, an individual,	}	Case No. A-16-739130-F
10		Dept. No. XIII
11 Plaintiff,		ORDER FOR APPEARANCE OF
12 vs.		JUDGMENT DEBTOR
13 PHILIP NEUMAN, an individual,		
14 Defendants		
15		
16		

17 ORDER FOR APPEARANCE OF JUDGMENT DEBTOR

18 GOOD CAUSE APPEARING,

19 IT IS ORDERED, that you, Phillip Neuman, appear at 9:00 a.m. on Monday, September 25,  
20 2017 at Oasis Reporting Services, 400 South Seventh Street, Suite 400, Las Vegas, NV 89101,  
21 Phone: 702-476-4500, with regard to the foreign judgment entered against you in this matter on  
22 Monday, September 25, 2016, then and there to answers question under oath concerning your assets  
23 and property.

24 YOU ARE FURTHER ORDERED to bring with you and produce for inspection and/or  
25 copying at Oasis Reporting Services, 400 South Seventh Street, Suite 400, Las Vegas, NV 89101,  
26 Phone: 702-476-4500, at 9:00 a.m. on Monday, September 25, 2017 the documents listed in Exhibit  
27 1 attached hereto.  
28



1 YOUR FAILURE TO APPEAR AND TO PRODUCE THE DOCUMENTS LISTED IN  
2 EXHIBIT 1 ATTACHED HERETO COULD RESULT IN AN ORDER TO SHOW CAUSE  
3 TO BE ISSUED TO EXPLAIN YOUR FAILURE TO APPEAR AND TO DISCLOSE YOUR  
4 ASSETS

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6 Dated this \_\_\_\_\_ day of August 2017.

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8 JUDGE OF THE DISTRICT COURT  
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